Exhibit 5

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October 24, 2019

General Mark A. Brown
Chief Operating Officer
Department of Education
Office of Federal Student Aid
830 First Street, NE
Washington, DC 20202

Dear General Brown,

MFS has now completed its analysis of all of the borrower accounts it received via CEMS since its implementation on September 10, 2018. We have reviewed all of these cases, which include the borrowers associated with the Manriquez litigation. All discrepancies that have been identified have been processed by MFS and any additional refunds have been initiated by MFS.

The following summarizes our findings, corrective actions, and recommended path forward.

To determine the master list of all cases assigned to DMCS in CEMS since September 10, 2018, we exported a report from CEMS where the borrower was assigned to DMCS and also had a start forbearance request. This report yielded 33,559 borrowers. We then queried Debt Manager (DM) to determine if the Borrower Defense Discharge (BDD) Receipt tag had been applied to each of these 33,559 accounts. From this query, we determined that 181 borrowers had not had the BDD receipt tag applied in DM.

<u>181 borrowers that did not have a BDD Received tag applied in DM:</u>
- **135 of the 181 did not have a BDD Received tag as a result of MFS processing error.** This represents 0.4% of total borrowers
  - **Root Cause:**
    - Processing errors due to manual entry
  - **Corrective Actions:**
    - MFS applied the BDD Received tag to each of the 135 borrowers.
    - MFS implemented a weekly repeatable process where MFS uses CEMS report builder to export all borrowers assigned to DMCS and which have a start forbearance request in CEMS. MFS confirms that tags are correctly applied to these borrowers in Debt Manager.

- **46 of the 181 did not have BDD Received tag because they were never assigned to DMCS in CEMS.** (MFS subsequently added tags based on direction received in the October 1, 2019 email regarding the litigation borrowers. These accounts have since been updated in CEMS)
  - **Root Cause:**

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- CEMS data is not accurate; it shows accounts as assigned to DMCS account that were never assigned to DMCS to start the forbearance request process.

Corrective Actions:
- MFS applied the BDD Received tag to each of the 46 borrowers
- MFS recommends working sessions between FSA, CEMS vendor and MFS to review specific cases to determine why CEMS did not process start forbearance request on 46 accounts and what additional corrective actions can take place to ensure all borrowers are assigned properly in CEMS.

To determine forced collection payments that needed to be refunded, MFS used the same 33,559 borrowers that were exported from CEMS and also exported the BDD application receipt date from CEMS. MFS analyzed these borrowers to determine whether any forced collection payments received on or after the BDD application receipt date had not been reversed or refunded. This determined the population of borrowers who may require a forced collection payment to be refunded. From this list we removed any borrower who had an invalid address. MFS identified any borrower who had a bundled refund and then worked these separately to ensure all eligible forced collection payment were part of the bundled refunds and if they were, they were eliminated from the population that needed refunds processed. If the payments did not reconcile to the bundle they were flagged for manual review and processing if applicable. The summary of the results are:

3,760 Borrowers had at least one of their BDD Forced Collection Payments not refunded:
- **2,935 of the 3,760 had a payment missed and not refunded.** This represents 8.7% of the total 33,559 borrower population. Each of the 2,935 borrowers represent multiple accounts and in many cases only one of their refunds was missed. The overall error rate when considering the total number of account transactions processed is much lower than the 8.7% of borrowers affected.
  - **Root Causes:**
    - Processing errors due to manual tracking for forced collection payments.
    - Debt Manager does not store the BDD application receipt date
  - **Corrective Actions:**
    - MFS initiated refunds for missed forced collection payments for all borrowers in the population.
    - MFS implemented a repeatable weekly process where MFS uses CEMS report builder to export all borrowers and BDD receipt dates for all borrowers assigned to DMCS and have a start forbearance request in CEMS and compare to Debt Manager to identify any forced collection payments received after the BDD receipt date that has not

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been reversed or refunded. Any payments identified will be analyzed and processed using existing BDD refund procedures.

- **779 of the 3,760 borrowers made payments between the court ordered refund date of May 25, 2018 and the BDD application receipt date.** The court ordered refund date was not in CEMS and MFS was not informed of the court ordered date until October 2019.

  Root Causes:
  - CEMS data is not accurate; it shows accounts as DMCS accounts that were never assigned to DMCS to start forbearance request process
  - MFS recommends working sessions between FSA, CEMS vendor and MFS to review specific cases to determine why CEMS did not process start forbearance request on 46 accounts and what additional corrective actions can take place to ensure all borrowers are assigned properly in CEMS.

  Corrective Actions:
  - MFS initiated refunds for missed forced collection payments for all borrowers in the population.

- **46 of the 3,760 borrowers were never assigned to DMCS in CEMS**

  Root Causes:
  - CEMS data not accurate – these accounts are shown in CEMS as DMCS accounts, but they were never assigned to DMCS to start the forbearance request process

  Corrective Actions:
  - Initiated refunds for missed forced collection payments for all borrowers in the population.
  - MFS recommends working sessions between FSA, CEMS vendor and MFS to review specific cases to determine why CEMS did not process start forbearance request on 46 accounts and what additional corrective actions can take place to ensure all borrowers are assigned properly in CEMS.

As we explained in our letter dated October 17, 2019, MFS was not aware of the court order in _Manriquez_, and the refund date of May 25, 2018, until October 1, 2019. We therefore suggest that FSA communicate directly with MFS when there are any special circumstances that require modifications to standard operating procedures or have special processing needs.

Attached is a detailed excel spreadsheet of the 33,359 borrowers:

Column A	Debt Manager account number
Column B	SSN
Column C	BDD receipt tag applied
Column D	Date tag was applied- Only populated for borrowers where tag was not originally applied

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Column E   Payment Needing Refunds – if there were payments after BDD receipt
             date or litigation date needing to be refunded

The spreadsheet is encrypted. A password will be provided under separate cover.

We would appreciate the opportunity to meet with you to further discuss these findings and
our recommendations.

Respectfully,

Bob Santos
VP, Debt Management and Collection System (DMCS) Program Executive

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